

**Draft Summary of Cultural Resources Work Group Meeting
Oroville Facilities Relicensing (FERC Project No. 2100)
February 18, 2003**

The Department of Water Resources (DWR) hosted the Cultural Resources Work Group (CRWG) meeting on February 18, 2003, in Oroville.

A summary of the discussion, decisions made, and action items is provided below. This summary is not intended to be a transcript, analysis of the meeting, or to indicate agreement or disagreement with any of the items summarized, except where expressly stated. The intent is to present a summary for interested parties who could not attend the meeting. The following are attachments to this summary.

Attachment 1	Meeting Agenda
Attachment 2	Meeting Attendees
Attachment 3	December 2002 Update
Attachment 4	January 2003 Update

Introduction

Attendees were welcomed to the Cultural Resources Work Group meeting and objectives were discussed. The meeting agenda and a list of meeting attendees and their affiliations are appended to this summary as Attachments 1 and 2, respectively.

Action Items – November 12, 2002 Cultural Resources Work Group Meeting

A summary of the November 12, 2002 Cultural Resources Work Group meeting is posted on the project web site. The Facilitator reviewed the status of action items from that meeting as follows:

Action Item #C44: Pass along recreation use concerns at sensitive site (Foreman Creek).
Status: The Facilitator reported that she informed the Recreation and Socioeconomics Work Group at their last meeting of the concerns related to sensitive sites that have been exposed due to low reservoir water levels this year and are subject to impacts from recreational use in certain areas.

Action Item #C45: Distribute Work Group summaries for December 2002 and January 2003.
Status: Janis Offermann, DWR Resource Area Manager, mailed the summaries to Work Group participants in advance of this Work Group meeting. Additional copies were available at the meeting and the summaries are included as Attachments 3 and 4 to this summary.

Study Plan Implementation Update

Mark Selverston gave an overview of the inventory effort. He explained that approximately 30 weeks of fieldwork wrapped up in December 2002 and resulted in the recording of over 700 archaeological sites. The number of individual sites has gone down as the researchers review the field data and decide that some sites are associated with one another and should be subsumed under a single site number. The data collected are currently being reviewed and will lead to the preparation of the technical Inventory Report. Michael Delacorte added that, since site-specific data are confidential, an abridged version of the Inventory Report will be available for public distribution when completed. He informed the participants that site databases are currently being developed with the goal to have available a Geographic Information System (GIS) layer depicting every site recorded. DWR reminded participants that a Cultural Resources Inventory Interim Report was mailed to Cultural Resources Work Group participants on February 5, 2003 and is available on the Project web site.

One participant asked Mark if the inventory work was now complete. Mark explained that while the crews are no longer in the field, work on the sites has not finished. He explained that the goal is to determine an appropriate number and type of sites necessary to describe a representative sample and then develop additional information for those sites. He added that site identification is assisted by local residents' interviews as well as the field survey itself, and he encouraged those that have information relevant to the historical use of this area to provide that information to the study team.

Maidu Advisory Council Update

Art Angle provided an update on the Maidu Advisory Council (MAC). He noted the continuation of regular MAC meetings, and that seven or eight Native Americans participated in the 2002 field season and received training in various skills such as site identification, the use of Global Positioning System (GPS) tools, and site recording. Art noted that he felt comfortable with the type and amount of participation from the Tribes during the inventory effort. He reiterated that the Cultural Resources Management Plan resulting from this process will be a living document with flexibility and regular review and will include the ability to conform to any new laws that might arise during the length of the new license. He also stressed the Council's desire for continued cross-resource collaboration with the other work groups to reduce the potential for impact that proposed changes to the Oroville Facilities might have on cultural resources.

Next Steps

Review of Collaborative Process and Schedule

The Facilitator reviewed the overall collaborative schedule for the Work Group. She explained that the short-term goal is to develop various "resource actions" to be analyzed in the draft environmental assessment, which is scheduled for submittal in April 2004. She also explained that the resource actions or PM&E measures would be grouped together to form alternatives designed to meet the Project "purpose and need" to be analyzed in the final National Environmental Policy Act (NEPA) document.

The Facilitator reminded the Work Group that the Plenary Group is an umbrella group charged with pulling together the recommendations they receive from the work groups. She explained that a Task Force was established by the Plenary Group to: 1) develop a form to identify information specific to potential PM&E measures or resource actions; 2) develop evaluation criteria for PM&E's and methods for submittal of proposed resource actions; and 3) develop additional protocols as necessary to define the settlement negotiation process. The Facilitator announced that the first of these three tasks has been completed and the form is currently under review by the Plenary Group. The Plenary Group will consider approval of the form for use by stakeholders interested in suggesting PM&Es (resource actions) at their February 25 meeting.

Craig Jones, representing the State Water Contractors, informed the Work Group that the evaluation criteria are proving difficult for the Task Force to define, but they all agree that they want a process that helps identify which actions make the most sense and meet the most needs. Michael Pierce, representing Butte County, expressed concern that he doesn't understand what "consensus" means and doesn't know who is going to be applying the evaluation criteria and making the decisions on resource actions.

The Facilitator reminded the participants that there is an agreed-upon definition of consensus contained within the Process Protocols. She explained the negative polling technique that the collaborative agreed to use, which is also described in the Protocols. The Facilitator also noted that the issues first identified by the Work Group are documented in Appendix B of Scoping Document 1, and that resource actions should probably be focused on addressing project-related

impacts. She added that the Plenary Process Task Force is still working on the criteria and evaluation process.

One participant asked about the deadline for submittal of the PM&E's/resource actions. The Facilitator responded that there are target dates in early April and early June so analysis can begin as soon as possible. However, she also acknowledged that PM&E measures are anticipated to continue to come in throughout the collaborative process. Craig Jones noted that the Task Force has not defined the proposed role of the work groups in the resource action development and evaluation process, and that the relationship between long-term management plans and resource actions remains unclear.

Referring to the January CRWG update, a participant asked if DWR would send her a copy of the letter from Mary Nichols to the Tribal councils regarding Foreman Creek. Janis Offermann agreed to provide a copy to the stakeholder.

Cultural Resource Study Plans – C2

Adrian Praetzell on the consulting team reviewed the process for complying with Section 106 of the National Historic Preservation Act, which is initiated by the federal government. The process involves an inventory phase, evaluation phase, and development of a plan to protect the resources. He explained that inventoried sites are measured against criteria of the National Register of Historic Places (National Register). He reviewed the National Register process of evaluation and reminded participants that due to the large number of identified resources, DWR would likely be evaluating a representative sample of sites. Adrian noted that the State Office on Historic Preservation has agreed in concept to this approach. He also explained that two study or evaluation plans would be developed, one for historic resources and one for prehistoric resources.

Mark Selverston explained that the approximately 400 historic sites found within the project study area generally can be assigned to one of several historic themes, such as: agricultural and ranching, transportation, water management, early settlement, and mining. He explained that the research design for the historic resources evaluation would establish a historic context for each resource category. He further explained that the evaluation phase would focus on a representative sample of sites within each category to evaluate in accordance with National Register criteria, and that the content and condition of resources within each category would be factored into the evaluation.

Lorrie Frazier asked if Native Americans would be involved in choosing the representative sites. Mark responded that Native Americans would probably be on the crews that will gather data on sites chosen for further analysis.

Regarding the evaluation of prehistoric sites, Michael Delacorte noted that the scope of work for that effort would be developed in consultation with the Maidu Advisory Council. He further stated that those discussions had just begun and, as a result, he had no additional information to offer at this time. He added that he expected that site categories would be identified in a similar fashion as those for historic sites and that more information resulting from the analysis of data collected during the inventory will allow for better definition of meaningful prehistoric sites categories.

Art Angle inquired as to whether additional archaeological survey work can be done at Foreman Creek. Several outstanding elements of the archaeological inventory were then discussed. Specifically, some developed recreation sites in the Project area were not studied in 2002, and approximately 5% of the sample survey area (that portion of the Project area above the maximum reservoir elevation) was withheld from the 2002 inventory to allow for surveys at areas that may be proposed for development as a result of Protection, Mitigation, and Enhancement (PM&E) measures, or to survey additional high-sensitivity areas such as Foreman Creek. Some of these

outstanding survey needs are expected to be undertaken in the spring of 2003, in accordance with the previously approved Work Plan.

Next Meeting

The Facilitator asked participants if they were comfortable with replacing the March Cultural Work Group meeting with a written summary and meeting again in April. The participants responded that every other month seemed appropriate for the Work Group to meet. DWR will distribute a March Update to the Cultural Resources Work Group participants. The next Cultural Resources Work Group meeting will be:

Date: April 15, 2003
Time: 5:30 – 8:30 p.m.
Location: To be determined

Action Items

The following list of action items identified by the Cultural Resources Work Group includes a description of the action, the participant responsible for the action, and due date.

Action Item #C46: Distribute March 2003 Update.
Responsible: DWR
Due Date: April 11, 2003